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Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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OET Clarifies Use of Revised Wireless Phone Hearing Aid Compatibility Standard Measurement Procedures and Rating Nomenclature

In the *Hearing Aid Compatibility Report and Order*,¹ the Commission required that digital wireless phones be capable of operating effectively with hearing aids based on certain performance measurement standards contained in the 2001 version of ANSI C63.19, "*American National Standard for Methods of Measurement of Compatibility between Wireless Communication Devices and Hearing Aids, ANSI C63.19-2001*."² On April 13, 2005, the American National Standards Institute (ANSI) Accredited Standards Committee C63 for Electromagnetic Compatibility Subcommittee 8 (Medical Devices) (ANSI ASC C63 SC8) (the ANSI Committee) informed the Commission that it recently adopted and released a draft version of an updated hearing aid compatibility standard, ANSI C63.19-2005.³ The ANSI Committee requests that the Commission: (1) adopt the updated standard after its final approval by ANSI, and (2) accept testing to the draft ANSI C63.19-2005 standard prior to ANSI's final approval of the standard.⁴ Today, we provide for the second action. As set forth below, the Office of Engineering and Technology (OET) has determined that applicants for hearing aid compatibility certification may rely on either the 2001 or draft 2005 version of ANSI C63.19.

Pursuant to the *Hearing Aid Compatibility Report and Order*, the Commission encouraged the relevant stakeholders to review the standard periodically to determine whether improvements to the standard are warranted.⁵ The Commission also delegated to the Wireless Telecommunications Bureau in coordination with OET, the authority to approve future versions of the hearing aid compatibility standard.⁶ The ANSI Petition indicates that the revised standard is the result of cooperative efforts among the various parties to clarify the testing methods and to better ensure repeatability of test results.⁷ In addition, the ANSI Petition states that the updated standard incorporates a new nomenclature for specifying the radio frequency interference and inductive coupling ratings of wireless phones to make the ratings easier for

¹ Section 68.4(a) of the Commission's Rules Governing Hearing Aid Compatibility, *Report and Order*, WT Docket No. 01-309, 18 FCC Rcd 16753 (2003); *erratum*, 18 FCC Rcd 18047 (2003).

² *See id.* at 16776-79 ¶¶ 55-64.

³ *See* Petition of ANSI ASC C63 SC8, WT Docket No. 01-309 (filed Apr. 13, 2005) (ANSI Petition). The revised standard is available for purchase from the Institute of Electrical and Electronic Engineers (IEEE) at <http://shop.ieee.org/ieeestore/>.

⁴ ANSI Petition at 1.

⁵ *See Hearing Aid Compatibility Report and Order*, 18 FCC Rcd at 16779 ¶ 63.

⁶ *See id.*

⁷ *See* ANSI Petition at 2.

consumers to understand.⁸ Finally, the ANSI Petition reports that ANSI must complete several administrative steps prior to formally adopting the updated standard.⁹ Although the draft standard will now be reviewed by the IEEE, and then will be subject to a public review process before being published by ANSI, the ANSI Petition requests that the Commission immediately accept use of the revised standard for equipment certification given ANSI's belief that use of the draft standard will yield more consistent and reliable measurement results.¹⁰

The Commission's rules require that manufacturers certify compliance with the test requirements under the equipment approval procedures in Part 2 of its rules.¹¹ OET has reviewed the draft standard and determined that the technical criteria used to determine compatibility have not changed from the 2001 version of the standard. Further, OET finds that the various clarifications and improvements in the standard will advance the Commission's objective of ensuring hearing aid compatibility for digital wireless phones. Accordingly, consistent with 47 C.F.R. §§ 0.241(b) and 2.947(a), OET will accept applications for certification of equipment tested and rated under the revised draft standard "American National Standard for Methods of Measurement of Compatibility between Wireless Communication Devices and Hearing Aids, ANSI C63.19-2005" for all wireless phone hearing aid compatibility testing and rating, as specified in Section 20.19 of the rules, effective immediately.

Applicants for certification may rely on either the 2001 or 2005 version of ANSI C63.19 and must identify which version they are using for compatibility testing and for rating wireless phones, consistent with 47 C.F.R. § 2.947 (b). OET will certify equipment that meets the compatibility requirements which has been tested and rated using the procedures specified in either version of the standard, pending further action by the Commission to modify the rules to reference the revised version of ANSI C63.19. Allowing the use of the new measurement and rating procedures now should assist manufacturers and carriers in meeting the September 16, 2005, deadline for providing handset models that comply with the radio frequency interference requirements of § 20.19(b).

The Commission will permit Telecommunications Certification Bodies (TCBs) to review and issue grants for such devices after the planned training session on May 10-13, 2005. If a device is submitted for certification prior to the May training, the TCB should seek guidance from Commission staff.

Finally, with respect to the ANSI Committee's request that the Commission adopt the updated standard after final approval by ANSI, the Commission, and the Wireless Telecommunications Bureau in coordination with OET, will consider whether to incorporate the updated standard into the Commission's rules after ANSI's final approval and publication of the updated standard.

Office of Engineering and Technology Contact: Martin Perrine (301) 362-3025 or martin.perrine@fcc.gov.

⁸ See *id.*

⁹ See *id.* at 2-3.

¹⁰ See ANSI Petition at 2.

¹¹ See 47 C.F.R. § 20.19.